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In the United States Patent and Trademark Office

Application No. : 09/978,274 Confirmation No: 4439
Applicant(s) : Christopher John Robert THOMAS, *et al.*
Filed : October 15, 2001
Title : **Uses of Nucleic Acids Encoding Pokeweed Antiviral Protein**
Art unit : 1638
Examiner : Ibrahim, Medina Ahmed
Docket No. : 13101/48901
Customer No. : 26646

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: 10/11/06

Signature: Anthony Giaccio
Anthony Giaccio (Reg. No. 39,684)

NOTICE OF APPEAL AND REQUEST FOR EXTENSION OF TIME
PURSUANT TO 37 C.F.R. §1.136(a)

Applicants hereby appeal the Examiner's decision made in the Final Office Action dated April 14, 2006, finally rejecting claims 46-51, 53-55, and 57-67. Applicants also respectfully request a **three-month extension of time** in which to file the Notice of Appeal from the final Office Action of April 14, 2006, for which a response period was set to expire on July 14, 2006. The two-month extended period for response expires on October 14, 2006.

Applicants previously petitioned for a **two-month extension of time** and authorized payment of the associated fee with the filing of the Amendment dated September 13, 2006. Therefore, the fee for obtaining the three-month extension of time is believed to be \$570.00 (\$1,020 less \$450 already paid).

The Commissioner is hereby authorized to charge the payment of the 37 C.F.R. § 41.20(b)(1) Notice of Appeal fee of **\$500.00**, and to charge payment of the 37 C.F.R. § 1.136 (a) extension of time fee of **\$570.00** to **Kenyon & Kenyon LLP**, Deposit Account No. 11-0600. Any additional fees deemed necessary should also be charged to Deposit Account No. 11-0600. An additional copy of this Notice is enclosed for that purpose.

Dated: 10/11/06

10/17/2006 DENMANU1 00000087 110600 09978274

01 FC:1401 500.00 DA
02 FC:1253 570.00 DARespectfully submitted,
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